

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

CHARLES L. MCGEE, #L7157

PLAINTIFF

v.

CAUSE NO. 1:17CV224-LG-RHW

ARAMARK FOOD SERVICES CORP., ET AL.

DEFENDANTS

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DISMISSING CLAIMS AGAINST JOY ROSS**

This cause comes before the Court on the [62] Report and Recommendation of United States Magistrate Judge Robert H. Walker entered October 1, 2018 in this prisoner civil rights lawsuit. Magistrate Judge Walker reviewed the efforts made by the Court and Plaintiff to locate and serve one of the defendants, Joy Ross. Despite these efforts, Plaintiff has not effected service on Ross. The Magistrate Judge therefore recommended that Plaintiff's claims against Ross be dismissed without prejudice.

There has been no objection to the Report and Recommendation filed, and the time for doing so has passed. In such circumstances, the Court need only review the Report and Recommendation and determine whether it is either clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Having conducted the required review, the Court finds that the Magistrate Judge's findings and conclusions are neither clearly erroneous nor contrary to law. Therefore, the Report and Recommendation will be adopted as the opinion of this Court, and Plaintiff's claims against Joy Ross dismissed without prejudice.

IT IS THEREFORE ORDERED AND ADJUDGED that the [62] Report

and Recommendation of United States Magistrate Judge Robert H. Walker entered October 1, 2018 is adopted as the finding of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff's claims against Joy Ross are **DISMISSED** without prejudice pursuant to Fed. R. Civ. P. 4(m).

SO ORDERED AND ADJUDGED this the 5th day of November, 2018.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE